

DECLARATION AND POWER OF ATTORNEY - USA PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "**CARTILAGE-DERIVED MORPHOGENETIC PROTEINS**"; the specification of which was filed on **May 1, 1997** as Application Serial No. **08/836,081**.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

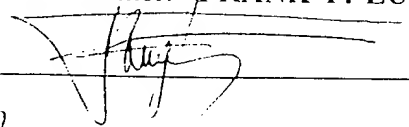
Priority
Claimed

No.: **PCT/US94/12814** Country: **PCT** Date Filed: **11/07/94** **Yes**

POWER OF ATTORNEY: I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith (if this application is assigned, I acknowledge that the appointed individuals do not represent me, and that instead they represent the assignee): James C. Haight, 25,588; Gloria H. Richmond, 30,416; David R. Sadowski, 32,808; Robert Benson, 33,612; Jack Spiegel, 34,477; Laurence J. Hyman, 35,551; Susan S. Rucker, 35,762; Stephen L. Finley, 36,357; Larry M. Tiffany, 40,844; Steven Ferguson, 38,448; and John Peter Kim, 38,514, as principal attorneys.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: **FRANK P. LUYTEN**

Inventor's signature 

Date 6/20/97

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Full name of second inventor: **MALCOLM MOOS, JR.**

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Date 6/20/97

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Full name of third inventor: **STEVEN CHAO-HUAN CHANG**

Inventor's signature 

Date 7/1/97

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